

Appendix A

S/N 09/176,012

PATENT

Atty. Docket No. GE9-97-053



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	J. Metternich et al.	:	Date: April 5, 2001
		:	IBM Corporation
Serial No.:	09/176,012	:	IP Law Dept. 2Y7/656
		:	P.O. Box 12195
		:	RTP, NC 27709
Filed:	Oct. 20, 1998	:	
		:	Group No.: 2681
For:	Method for Calling Up User-	:	Examiner: T. Davis
	Specified Information Using a Mobile	:	
	Telephone	:	

Assistant Commissioner for Patents
Washington, DC 20231

AMENDMENT

Sir:

In the Claims:

Please amend claims 1, 2, 4-23, 27-29 as follows:

1. (Amended) A method for defining and later retrieving user-specified information by means of a mobile telephone, comprising the following steps:
 - a) using a user data processing system to prepare at least one query profile where each query profile has at least one information requirement and an associated brief command and where each brief command can be specified using the keypad of a mobile telephone;
 - b) sending the query profile using the user data-processing system to an information supplier;
 - c) sending an information call using a mobile telephone to the information supplier containing at least one of the brief commands;
 - d) comparing the brief command sent in accordance with step c) with the brief commands of the query profiles prepared and sent in accordance with steps a and b);
 - e) putting together the information of the information requirements contained in the associated query profile in the event of agreement in accordance

with step d);

- f) sending the collected information to the mobile telephone; and
 - g) presenting the information to a user of the mobile telephone by way of the mobile telephone.
- 2. (Amended) The method in accordance with Claim 1 characterized in that step b) takes place via a data link between the user data-processing system and an information supplier data-processing system.
 - 4. (Amended) The method in accordance with Claim 1 characterized in that the information call is sent with a PIN, where the PIN establishes entitlement to call up the specified information.
 - 5. (Amended) The method in accordance with Claim 1 characterized in that the information call is sent with a telephone number of the caller, where the telephone number establishes entitlement to call for the information.
 - 6. (Amended) The method in accordance with Claim 2 characterized in that the data link is effected through a modem to the information supplier data-processing system.
 - 7. (Amended) The method in accordance with Claim 2 characterized in that the data link is effected through the Internet to the information supplier data processing system.

8. (Amended) The method in accordance with Claim 1, comprising the further step:

downloading JAVA applets, stored on a server of the information supplier through the Internet to the user data processing system; and

preparing the query profile in accordance with step a) by means of the JAVA applets.
9. (Amended) The method in accordance with Claim 1 characterized in that step c) is effected through a SMS of the mobile telephone.
10. (Amended) The method in accordance with Claim 1 characterized in that steps d) through f) are each effected through one of the information supplier's programs.
11. (Amended) The method in accordance with Claim 1 characterized in that steps d) through e) and step f) are each effected through separate information supplier programs.
12. (Amended) The method in accordance with Claim 1 characterized in that sending, in accordance with step f), is effected via another mobile telephone.
13. (Amended) The method in accordance with Claim 1 characterized in that sending in accordance with step f) is effected first via a data link to a mobile radio network operator and then via a telephone network to the mobile telephone.

14. (Amended) The method in accordance with Claim 1 characterized in that the information, in accordance with step g), is presented visually or acoustically.
15. (Amended) A method for producing a user-specified information requirement which can be accessed via SMS messages of a mobile telephone, comprising the following steps:
 - a) using a user data processing system to prepare a query profile, having an associated brief command and at least one information requirement, where the brief command can be produced using the keypad of a mobile telephone;
 - b) sending the query profile in accordance with step a) using the user data-processing system to an information supplier; and
 - c) storing the query profile at the information provider on an information supplier data-processing system which can communicate with a telephone network of the mobile telephone.
16. (Amended) The method in accordance with Claim 15 characterized in that step b) is effected over a data link between the user data-processing system and the information supplier data-processing system.
17. (Amended) The method in accordance with Claim 15 characterized in that the query profile is produced via a speech computer.

18. (Amended) The method in accordance with Claim 15 characterized in that the call for information is sent with a PIN where the PIN establishes entitlement to call for the specified information.
19. (Amended) The method in accordance with Claim 15 characterized in that the call for information is sent with the a telephone number of the caller, where the telephone number establishes entitlement to call for the information.
20. (Amended) The method in accordance with Claim 16 characterized in that the data link is effected through a modem to the information supplier data processing system.
21. (Amended) The method in accordance with Claim 16 characterized in that the data link is effected through the Internet to the information supplier data processing system.
22. (Amended) The method in accordance with Claim 15 comprising the further steps:
 downloading JAVA applets, stored on a server of the information supplier through the Internet to the user data processing system; and
 preparing the query profile in accordance with step a) by means of the JAVA applets.
23. (Amended) A method for calling up information via a mobile telephone where a query profile is prepared using a user data-processing system and deposited with an information provider, where the query profile specifies at least one information requirement and with which query profile a brief command is associated for its

identification, comprising the following steps:

- a) sending a call for information by means of the mobile telephone to the information provider containing at least the brief command;
 - b) comparing the sent brief command with the brief command of the query profile;
 - c) putting together the desired information of the at least one information requirement of the query profile in the event of agreement in accordance with step b);
 - d) sending the collected information to the mobile telephone; and
 - e) presenting the information to a user of the mobile telephone via the mobile telephone.
27. (Amended) The method in accordance with Claim 23 characterized in that the transmission in accordance with step d) is effected via another mobile telephone.
28. (Amended) The method in accordance with Claim 23 characterized in that the transmission in accordance with step d) is effected first via a data link to a mobile radio network operator and then via a telephone network to the mobile telephone.
29. (Amended) The method in accordance with Claim 23 characterized in that the information in accordance with step e) is presented either visually or acoustically.

REMARKS

This amendment is in response to the office action mailed October 11, 2000.

Claims 1 - 29 were filed with this application. Claims 1, 2, 4-23, 27-29 have been amended. Claims 1 - 29 remain in the application.

The amendments to claims 4-14, 17-21 and 27-29 are simple amendments to correct typographical errors, to make changes consistent with changes made in other claims and to correct informalities pointed out by the Examiner. None of the amendments made to claims 4-14, 17-21 and 27-29 are related to a question of patentability.

Steps a) and b) of claim 1, have been amended to clarify the fact that the query profiles are created and sent to the information provider using a data processing system, such as a PC, separate and apart from the mobile telephone itself. The data processing system requirement was formerly included as an element of claim 2. Amendments to steps c) through e) of claim 1 were made to clarify the claim language and to make it obvious that each brief command is associated with a query profile which contains at least one information requirement - these amendments do not change the original meaning of these steps. Step g) of claim 1 has been amended to point out that the information sent to the mobile telephone phone is then presented to the user of the mobile telephone.

Claim 2 has been amended to remove the data processing system requirement which has been incorporated into claim 1. Other amendments to claim 2 were to utilize the term "user data processing system" defined in claim 1 and to define the term "information supplier data

processing system” and were not related to patentability.

Steps a) and b) of claim 15 have been amended like steps a) and b) of claim 1 to require the query profiles to be prepared using a user data processing system. Step c) of claim 15 has been amended to define the term “information supplier data processing system” and to correct an informality and these amendments were not related to patentability.

Claim 16 has been amended to remove the data processing system requirement which has been incorporated into claim 15. Other amendments to claim 16 were to utilize the terms “user data processing system” and “information supplier data processing system” defined in claim 15 and were not related to patentability.

The first further step of claim 22 has been amended to correct informalities pointed out by the Examiner and to use the defined term “user data processing system.” Claim 22 has also been amended to add a second further step of utilizing the JAVA applets downloaded during the first further step to prepare the query profile. This second step was inadvertently left off the original application and is analogous to the second further step of claim 8.

The preamble to claim 23 has been amended to clarify that the query profile to be deposited with an information provider was produced using the “user data processing system” and to correct an informality and some awkward wording. Steps b) and c) of claim 23 have been amended to clarify that the brief command is associated with the query profile and not the information requirement contained within the query profile. Step d) of claim 23 has been amended to use the word “sending” instead of the word “presenting” when describing the act of delivering the collected information to the mobile telephone. This change was made for consistency with the other claims and is not related to patentability. Step e) of claim 23 has been amended to point out that the information sent to the mobile telephone phone is then presented to

the user of the mobile telephone.

The Examiner has rejected claims 1, 2, 6, 10, 12, 15, 16, 20, 23, 25 and 27 of the present application under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,875,405 to Honda. Honda discloses a method and system whereby a user of a mobile telephone can define and utilize a set of abbreviated dialing numbers.

According to Honda, the user enters one or more abbreviated numbers and associated identification numbers using the mobile phone's keypad (Column 4, lines 13-15). These pairs of abbreviated numbers and their associated identification numbers are stored in a data table in the registration memory of the mobile phone (Column 1, lines 52-56). The user can then initiate a transfer of the data table from the mobile phone to a base station (Column 1, lines 52-56). Once the data table has been transferred to the base station, mobile phones can access the data to make calls using the abbreviated numbers (Column 3, lines 31-36).

The abbreviated numbers and associated identification numbers in Honda are analogous to the query profiles and associated brief commands in the present application.

As amended, independent claims 1, 15 and 23 of the present application, and dependent claims 2, 6, 10, 12, 16, 20, 25 and 27 which depend from one of claim 1, 15 or 23 and thus include the elements of the independent claims, are distinguishable over the referenced prior art. The most glaring distinction is that each of the independent claims recites that the query profiles with their information requirements and associated brief commands are created or produced by the user on a data processing system separate and distinct from the mobile phone. The user also uses the separate data processing system to send the query profiles and associated data to the information supplier's system

(Analogous to the base station in Honda) over a connection through the internet, via modem or via other data link (See Figure 1 and the specification page 5, lines 4 - 17).

An advantage of using a data processing system to enter this information is that query profiles can easily be created containing complex information requirements since the data processing system will include a standard keyboard or other data entry system such as voice recognition, touchpad, etc. With the lengthy account numbers, personal identification codes, phones numbers and information descriptions that might have to be entered for the applications contemplated by the present application, this is a tremendous advantage over entering such information via the keypad of a mobile phone as disclosed in Honda. Nowhere in Honda is it disclosed, suggested or taught that an alternate data processing system can be used to enter the abbreviated numbers and associated identification numbers.

Another advantage of the system disclosed in the present invention over the referenced prior art is that no modifications are needed to the mobile phone. The mobile phone terminal in Honda must have components and capabilities not found in the common mobile phone. The mobile phone according to Honda must include registration memory for storing the data table and must have a processor that allows it to (i) enter a special data transmission mode, (ii) send a transmission request to the base station, (iii) recognize an acknowledgment from the base station, (iv) after receiving the acknowledgment, send the complete data table to the base station, (v) send an end signal to the base station, (vi) recognize a write completion signal from the base station, and (vii) after receiving the write completion signal, indicate to the user that the transmission has completed (Column 4, lines 34-56). All of these are capabilities not typically found in mobile phones and not required in a mobile phone practicing the invention of the present application.

Another distinction of the present application over the referenced prior art is that the information retrieved is then displayed to the user. Amended claims 1 and 23 and the claims depending therefrom make it clear that the retrieved information is presented to the user of the

mobile telephone making the request. According to Honda, mobile telephones can request that the base station transfer to them the data table stored in the base station (Column 5, lines 16-33). When the data table is transferred to the requesting mobile telephone it is stored in the registration memory of the mobile telephone and the user is informed that the transfer is complete. At no time is the retrieved information presented to the user in any way.

The Examiner states that “[r]egarding claim 2, Honda discloses the method in accordance with Claim 2 characterized in that step a) takes place via a data-processing system...” and references column 3, lines 54-56 of the Honda specification. The referenced portion of the Honda specification states “[a] user may enter an abbreviated number and the corresponding identification number into the ADR table 208 through the keypad 209...”. Element number 209 indicates the keypad of the mobile telephone. Honda only discloses entry of the information to be stored and transmitted via the keypad of the mobile telephone. Therefore, Honda does not “disclose the method in accordance claim 2...” as stated by the Examiner where the specification and amended claims of the present invention make it clear that the “data-processing system” is a PC or other device distinct from the mobile telephone and having a separate and different connection to the information supplier than that utilized by the mobile telephone (elements now included in amended claims 1, 15 and 23).

The entry and transmission of the data on a data processing system separate and distinct from the mobile telephone has patentable advantages over the entry and transmission of the data on the mobile telephone itself. Those advantages include the ease of data entry and the lack of modifications needed to the mobile telephone, as described above.

The Examiner’s comments regarding the anticipation by Honda of claims 6, 10, 12, 16, 20, 25 and 27 are not addressed here individually since each of these claims is patentably distinguishable over the prior art through dependency from one of amended claims 1, 15 or 23, as

discussed above.

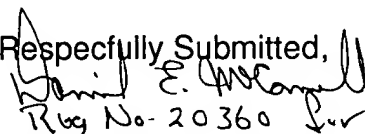
The Examiner has rejected claims 3, 4, 5, 13, 17-19 and 28 of the present application under 35 U.S.C. 103(a) as being unpatentable over Honda and well known prior art.

The Examiner has rejected claims 7, 9, 14, 21, 24 and 29 of the present application under 35 U.S.C. 103(a) as being unpatentable over the combination of Honda and U.S. Patent No. 6,112,078 to Sormunen et al (Sormunen).

The Examiner has rejected claims 8 and 22 of the present application under 35 U.S.C. 103(a) as being unpatentable over the combination of Honda, Sormunen and well known prior art.

Finally, the Examiner has rejected claims 11 and 26 of the present application under 35 U.S.C. 103(a) as being unpatentable over Honda since the number of programs specified in claims 11 and 26 for implementing the transfer of information is simply a matter of design preference.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached pages are captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE".

Respectfully Submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

(Deletions are shown with either strikethrough or brackets)

1. (Amended) A method for ~~calling (preparing, sending, receiving)~~ defining and later retrieving user-specified information by means of a mobile telephone, comprising the following steps:
 - a) ~~preparing a~~ using a user data processing system to prepare at least one query profile[, having] where each query profile has at least one information requirement and an associated brief command[,] and where ~~the~~ each brief command can be specified using the keypad of a mobile telephone;
 - b) sending the query profile using the user data-processing system to an information supplier;
 - c) sending an information call using a mobile telephone to the information supplier containing at least one of the brief ~~command~~ commands;
 - d) comparing the brief command sent in accordance with step c) with the brief ~~command~~ commands ~~of the information requirement of the query profile~~ profiles prepared and sent in accordance with ~~step~~ steps a and b);
 - e) putting together the information of the ~~specified information requirement~~ requirements contained in the associated query profile in the event of agreement in accordance with step d);
 - f) sending the collected information to the mobile telephone; and

- g) ~~reproducing~~ presenting the information to a user of the mobile telephone by way of the mobile telephone.
2. (Amended) The method in accordance with Claim 1 characterized in that ~~step a) takes place via a data-processing system and step b) takes place via a data link between the user data-processing system of the user of the mobile telephone and the an information supplier data-processing system of the information supplier.~~
4. (Amended) The method in accordance with Claim ~~Claims~~ 1 characterized in that the information call is sent with a PIN, where the PIN establishes entitlement to call up the specified information.
5. (Amended) The method in accordance with Claim ~~Claims~~ 1 characterized in that the information call is sent with ~~the~~ a telephone number of the caller, where the telephone number establishes entitlement to call for the information.
6. (Amended) The method in accordance with Claim 2 [1] characterized in that the data link is effected through a modem to the information supplier data-processing system ~~of the information supplier.~~
7. (Amended) The method in accordance with Claim 2 ~~Claims 1~~ characterized in that the data link is effected through the Internet to the information supplier data processing system ~~of the information supplier.~~

8. (Amended) The method in accordance with Claim ~~Claims~~ 1, comprising the further step:

downloading JAVA applets, stored on a ~~the~~ server of the information supplier through the Internet to the user data processing system ~~of the user of the mobile telephone~~; and

preparing the query profile in accordance with step a) by means of the JAVA applets.

9. (Amended) The method in accordance with Claim ~~Claims~~ 1 characterized in that step c) is effected through ~~the~~ a SMS of the mobile telephone.
10. (Amended) The method in accordance with Claim ~~Claims~~ 1 characterized in that steps d) through f) are each effected through one of the information supplier's ~~suppliers~~ programs.
11. (Amended) The method in accordance with Claim ~~Claims~~ 1 characterized in that steps d) through e) and step f) are each effected through separate information supplier programs.
12. (Amended) The method in accordance with Claim ~~Claims~~ 1 characterized in that sending, in accordance with step f), is effected via another mobile telephone.

13. (Amended) The method in accordance with Claim ~~Claims~~ 1 characterized in that sending in accordance with step f) is effected first via a data link to the a mobile radio network operator and then via the a telephone network to the ~~user~~ of the mobile telephone.
14. (Amended) The method in accordance with Claim ~~Claims~~ 1 characterized ~~characterised~~ in that the information, in accordance with step g), is ~~supplied~~ presented visually or acoustically ~~via the mobile telephone~~.
15. (Amended) ~~The~~ A method for producing a user-specified information requirement which can be accessed via SMS messages of a mobile telephone, comprising the following steps:
- a) using a user data processing system to prepare ~~preparing~~ a query profile, having an associated brief command and at least one information requirement ~~specified~~, where the brief command can be produced using the keypad of a mobile telephone;
 - b) sending the query profile in accordance with step a) using the user data-processing system to an information supplier; and
 - c) storing the query profile at the information provider on a an information supplier data-processing system which can communicate with a the telephone network of the mobile telephone.

16. (Amended) The method in accordance with Claim 15 characterized in that ~~step a) is effected via a data-processing system and that step b) is effected over a data link between the user data-processing system of the user of the mobile telephone and the information supplier data-processing system of the information provider.~~
17. (Amended) The method in accordance with Claim 15 characterized in that the query profile is produced via a speech computer ~~of the information provider.~~
18. (Amended) The method in accordance with ~~Claim~~ Claims 15 characterized in that the call for information is sent with a PIN where the PIN establishes ~~the~~ entitlement to call for the specified information.
19. (Amended) The method in accordance with ~~Claim~~ Claims 15 characterized in that the call for information is sent with ~~the~~ a telephone number of the caller, where the telephone number establishes ~~the~~ entitlement to call for the information.
20. (Amended) The method in accordance with Claim ~~16~~ 15 characterized in that the data link is effected through a modem to the information supplier data processing system ~~of the information provider.~~
21. (Amended) The method in accordance with Claim ~~16~~ 15 characterized in that the data link is effected through the Internet to the information supplier data processing system ~~of the information provider.~~

22. (Amended) The method in accordance with Claim ~~Claims~~ 15 comprising the further ~~step~~ steps:

downloading JAVA applets, stored on a ~~the~~ server of the information supplier through the Internet to the user data processing system ~~of the user of the mobile telephone~~ ; and
preparing the query profile in accordance with step a) by means of the JAVA applets.

23. (Amended) A method for calling up information via a mobile telephone where a query profile is prepared using a user data-processing system and deposited with ~~the~~ an information provider, where the query profile specifies at least one information requirement and ~~to~~ with which query profile a brief command is associated for its identification, comprising the following steps:

- a) sending a call for information by means of the mobile telephone to the information provider containing at least the brief command;
- b) comparing the sent brief command with the brief command ~~of the information requirement~~ of the query profile;
- c) putting together the desired information of the at least one information requirement of the query profile in the event of agreement in accordance with step b);
- d) ~~presenting~~ sending the collected information to the mobile telephone; and

- e) ~~reproducing~~ presenting the information to a user of the mobile telephone via the mobile telephone.
27. (Amended) The method in accordance with Claim ~~Claims~~ 23 characterized in that the transmission in accordance with step d) is effected via ~~a~~ another mobile telephone.
28. (Amended) The method in accordance with Claim ~~Claims~~ 23 characterized in that the transmission in accordance with step d) is effected first via a data link to ~~the~~ a mobile radio network operator and then via ~~the~~ a telephone network to ~~the user of~~ the mobile telephone.
29. (Amended) The method in accordance with Claim ~~Claims~~ 23 characterized in that the information in accordance with step e) is ~~effected~~ presented either visually or acoustically ~~via the mobile telephone~~.



APR 17 2001

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IN RE APPLICATION OF: J. Motternich et al.
TITLE OF APPLICATION: Method for Calling up User-Specified Information Using a Mobile Telephone

PGS. OF SPEC: _____ NO. OF CLAIMS _____ SHTS OF DWGS: _____

TOTAL CHARGES: 890.00 DEPOSIT ACCT. NO. 09-0464
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